

ESTTA Tracking number: **ESTTA252526**

Filing date: **12/03/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92048260
Party	Defendant IPI ACQUISITION CORP.
Correspondence Address	Paul H. Kochanski Lerner, David, Littenberg, Krumholz & Mentlik LLP 600 South Avenue West Westfield, NJ 07090 UNITED STATES pkochanski@ldlkm.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Paul H. Kochanski
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Signature	/Paul H. Kochanski/
Date	12/03/2008
Attachments	motiontoextend.pdf ( 3 pages )(63825 bytes ) certificateofservice.pdf ( 1 page )(12511 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

FAMILY CLUBHOUSE, INCORPORATED,	:	
d/b/a i play	:	
	:	
Petitioner,	:	Reg. No.: 2,923,675
v.	:	
INTERNATIONAL PLAYTHINGS, INC.	:	Cancellation No.:92048260
	:	
Registrant.	X	

**STIPULATED MOTION TO EXTEND PERIOD FOR RESPONDENT'S DISCOVERY**

International Playthings, Inc., hereby requests an extension of time for the taking of its testimony in the above-captioned cancellation proceeding. Respondent's testimony period is presently due to close December 6, 2008. The Petitioner's rebuttal testimony period is to close January 20, 2009. These dates were most recently set by the Trademark Trial and Appeal Board in an order dated November 21, 2008 based upon a prior filed Stipulated Motion to Extend Respondent's Testimony Period. Respondent presently seeks an extension of time such that its testimony period close on January 23, 2009 and Petitioner's rebuttal testimony period to close approximately six (6) weeks later on March 6, 2009.

The purpose of the requested extension is that after receiving the Order of November 21, 2008, it was determined that Petitioner's counsel and Respondent's counsel were unavailable to be able to schedule Respondent's testimony prior to December 6, 2008. After discussing their schedules, including the fact of

the upcoming holiday season, and conflicts with other matters, it was determined between Respondent's counsel and Petitioner's counsel that the first available time to be able to take such testimony would be the week of January 19, 2009. Accordingly, Respondent and Petitioner have agreed that Respondent's testimony can be taken some time that week. As a result, the Petitioner, through its counsel, and Respondent, through its counsel, have agreed to the following stipulated extension of both the Respondent's testimony period and Petitioner's rebuttal testimony period.

The discussions concerning the foregoing stipulation took place during the week of November 24-26 and on December 1 and 2, 2008, between counsel for Respondent, Paul H. Kochanski, Esq., and counsel for the Petitioner, Steven C. Schnedler, Esq. Additionally, the parties have contacted Brian D. Brown, the Interlocutory Attorney for the present matter and have advised Mr. Brown of the request for the extension of time. Mr. Brown has requested that the parties submit a stipulated motion to extend the period for Respondent's testimony.

If the extension is granted, the following are the reset trial dates:

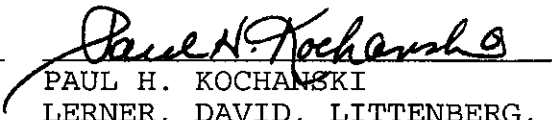
DISCOVERY PERIOD TO CLOSE:	Closed
30-DAY TESTIMONY PERIOD FOR PARTY POSITION OF PLAINTIFF TO CLOSE:	Closed
30-DAY TESTIMONY PERIOD FOR PARTY OF POSITION OF PLAINTIFF TO CLOSE	January 23, 2009
15-DAY REBUTTAL TESTIMONY PERIOD FOR PLAINTIFF TO CLOSE:	March 6, 2009

Based upon the foregoing, Respondent and Petitioner respectfully request that the Trademark Trial and Appeal Board approve this consent stipulation for extension of the remaining testimony periods in the present cancellation proceedings.

Respectfully submitted,

Date:

December 2, 2008

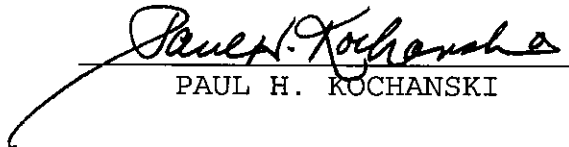


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Attorneys for Registrant

**CERTIFICATE OF SERVICE**

I hereby certify that on December 3, 2008, a true of the Stipulated Motion to Extend Period for Respondent's Testimony was served upon the attorneys for Petitioner, Family Clubhouse, Incorporated by via first class mail addressed as follows:

Steven C. Schnedler, Esq.  
CARTER & SCHNEDLER, P.A.  
56 Central Avenue, Suite 101  
P.O. Box 2985  
Asheville, NC 28802

  
PAUL H. KOCHANSKI